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 14

15 **UNITED STATES DISTRICT COURT**
 16 **SOUTHERN DISTRICT OF CALIFORNIA**

17 **JOHN DOE ONE, JOHN DOE**
 18 **TWO, and JOHN DOE THREE, on**
 19 **behalf of themselves and all others**
 20 **similarly situated,**

Plaintiffs,

v.

21 **AETNA, INC.; AETNA**
 22 **HEALTHCARE, INC.; AETNA**
 23 **SPECIALTY PHARMACY, LLC;**
 24 **and DOES 1-10, inclusive,**

Defendants.

Case No. 14-cv-02986-LAB (DHB)

CLASS ACTION

**STIPULATION OF VOLUNTARY
 DISMISSAL PURSUANT TO FED. R.
 CIV. PROC. 41(a)(1)(A)(ii)**

Judge: Hon. Larry A. Burns
Trial Date: Not Set

Complaint Filed: December 19, 2014

25
 26 WHEREAS, on December 19, 2014, Plaintiff John Doe One filed an action
 27 entitled *John Doe One v. Aetna, Inc.; Aetna HealthCare, Inc., and Aetna Specialty*
 28 *Pharmacy, LLC*, Case No. 14-cv-02986-LAB (DHB) (the “Action”), which was

1 amended on May 8, 2015 to add John Doe Two and John Doe Three, which was
 2 assigned to the Honorable Larry A. Burns of the Southern District of California (the
 3 “Court”);

4 WHEREAS, based on a recently agreed to settlement that provides for notice
 5 to current members of the ability to obtain most HIV Medications through a retail
 6 pharmacist and an offer of reimbursement to members for certain direct out-of-
 7 pocket expenses, the Parties have concluded that the claims asserted in this Action
 8 should no longer be prosecuted on a class-wide basis;

9 WHEREAS, without any admission of liability on the part of either party, the
 10 parties desire to avoid continued litigation of any remaining claims for relief;

11 WHEREAS, no class has been certified and no motion for class certification
 12 is pending;

13 NOW THEREFORE,

14 In recognition of the foregoing, the parties stipulate that subject to the terms of
 15 the Parties’ Settlement Agreement, Plaintiffs’ individual claims in the above-entitled
 16 Action will and hereby are voluntarily dismissed with prejudice, and that the claims of
 17 all other persons will and hereby are voluntarily dismissed without prejudice, against
 18 Defendants pursuant to Fed. R. Civ. Proc. 41(a)(1)(A)(ii).

19
 20 **Filer’s Attestation:** Pursuant to this Court’s Policies and Procedures
 21 Manual, section 4, Alan M. Mansfield hereby certifies that concurrence in the filing
 22 of this document has been obtained from all signatories.

23 /s/ Alan M. Mansfield

24
 25 Dated: March 3, 2017

Respectfully submitted,

26 **WHATLEY KALLAS, LLP**

27 By: /S/Alan M. Mansfield
 28 Alan M. Mansfield (SBN 125998)
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Dated: March 3, 2017

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